



PUBLIC NOTICE

US Army Corps
of Engineers

New York District

Jacob K. Javits Federal Building

New York, N.Y. 10278-0090

ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: NAN-2006-3356

Issue Date: March 15, 2007

Expiration Date: April 15, 2007

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: County of Suffolk, Department of Public Works
c/o Chief Engineer William Hillman
335 Yaphank Avenue
Yaphank, NY 11980

ACTIVITY: 10-year maintenance dredging and sand discharge for beach nourishment.

WATERWAY: Deep Hole Creek, tributary to Great Peconic Bay

LOCATION: Town of Southold, Suffolk County, New York.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information

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necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein may affect the Federally listed as endangered or threatened piping plover (*Charadrius melodus*), seabeach amaranth (*Amaranthus purnilis*), and sea turtles, or their habitat. Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occurs. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

-New York State Department of Conservation

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8420 and ask for Stacey M. Jensen.

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For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>

Richard L. Tomer
Chief, Regulatory Branch

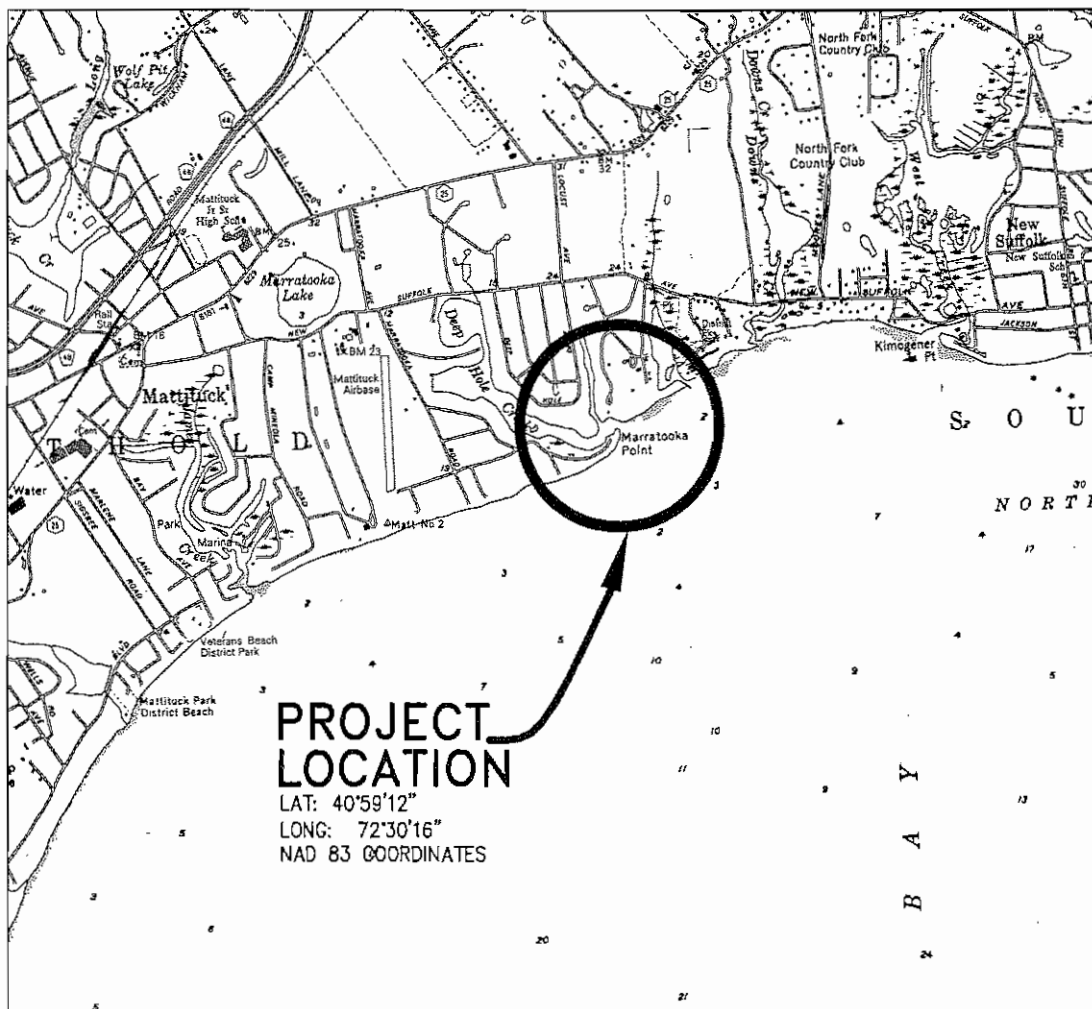
Enclosures

WORK DESCRIPTION

The applicant, County of Suffolk, Department of Public Works, has requested Department of the Army authorization for the 10-year maintenance hydraulic dredging of the navigation channel at Deep Hole Creek. The initial dredge event would include the removal of approximately 6,500 cubic yards from the channel of dimension 1,500-feet-long by 100-feet-wide (variable) by 7-feet-deep MLW, which includes a 1-foot allowable overcut. Periodic maintenance would occur annually with an approximate surplus volume ranging from 2,000 cy to 12,000 cy. The dredging event would be approximately 2 weeks in duration. Dredged material would be pumped directly to the east and west adjacent beaches as nourishment to prevent further erosion. The hydraulic dredge would use a pressure pipeline to deliver sediment to the beach. Approximately 54,000 square feet, and 1,600 cy of material would be placed below the spring high water mark line (SHW) for beach nourishment. The project would occur in Deep Hole Creek, a tributary to Great Peconic Bay, Town of Southold, Suffolk County, New York.

The stated purpose of this project is to provide the public with safe navigational access to Great Peconic Bay.

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**PROJECT
LOCATION**

LAT: 40°59'12"
LONG: 72°30'16"
NAD 83 COORDINATES

SCALE 1:4000
LOCATION MAP

PROJECT LOCATION

LOCATION MAP TAKING FROM
NYSOT QUADRANGLE, MAPS FF68, FF59, GG58 & GG59

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APPLICATION BY COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.

CHIEF DEPUTY COMMISSIONER

The datum used on this project is Mean Low
Water, elevation 0.00 ft.

MAINTENANCE DREDGING
AT

DEEP HOLE CREEK

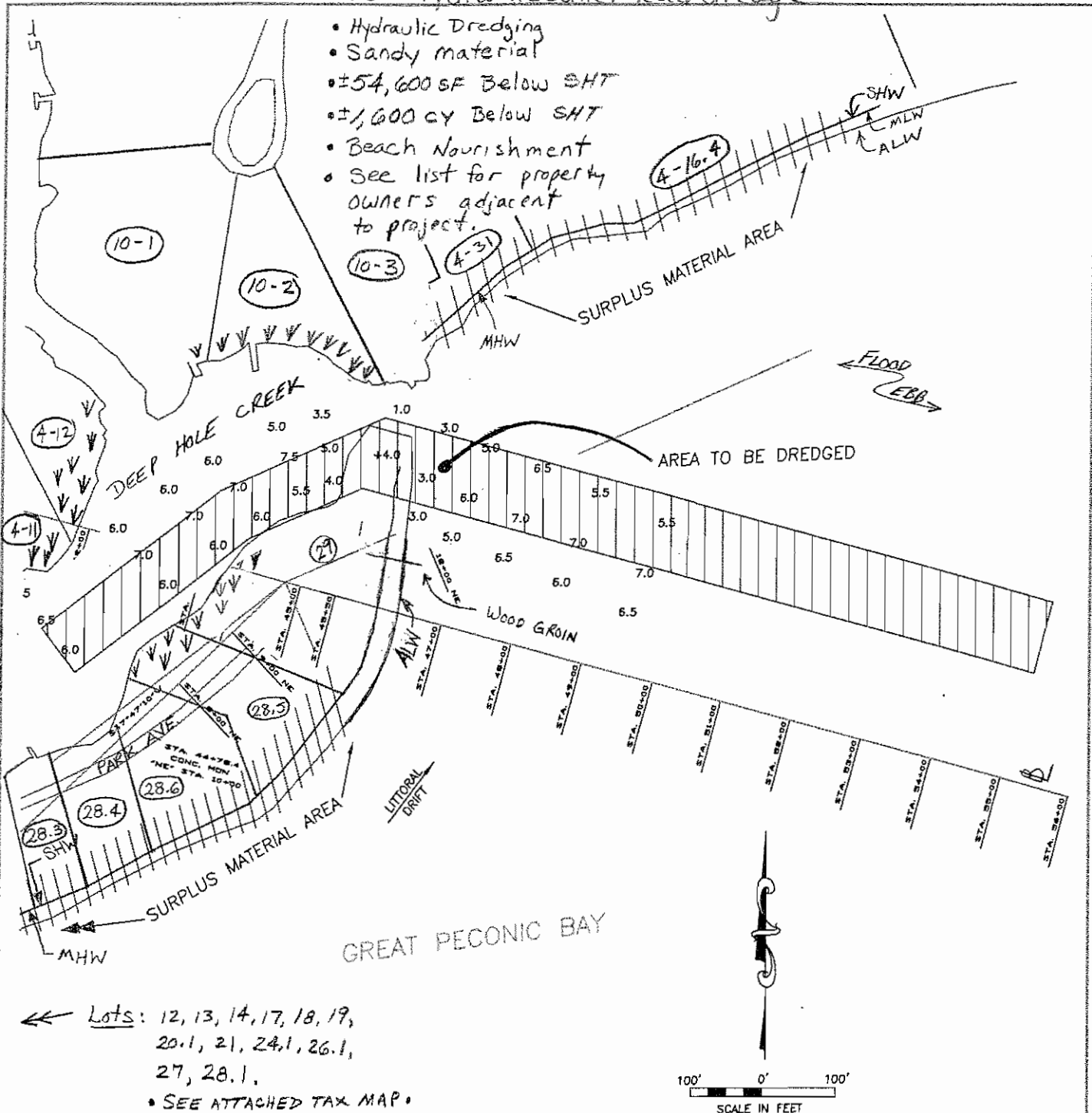
TOWN OF SOUTHOLD

SUFFOLK COUNTY, NEW YORK

DATE SEPT. 2006 SHEET 1 OF 4

10" hydraulic cutterhead dredge

- Hydraulic Dredging
- Sandy material
- $\pm 54,600$ SF Below SHT
- $\pm 1,600$ CY Below SHT
- Beach Nourishment
- See list for property owners adjacent to project.



← Lots: 12, 13, 14, 17, 18, 19,
20.1, 21, 24.1, 26.1,
27, 28.1.
• SEE ATTACHED TAX MAP.

V= WETLAND APPROX. LOCATION

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APPLICATION BY COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS

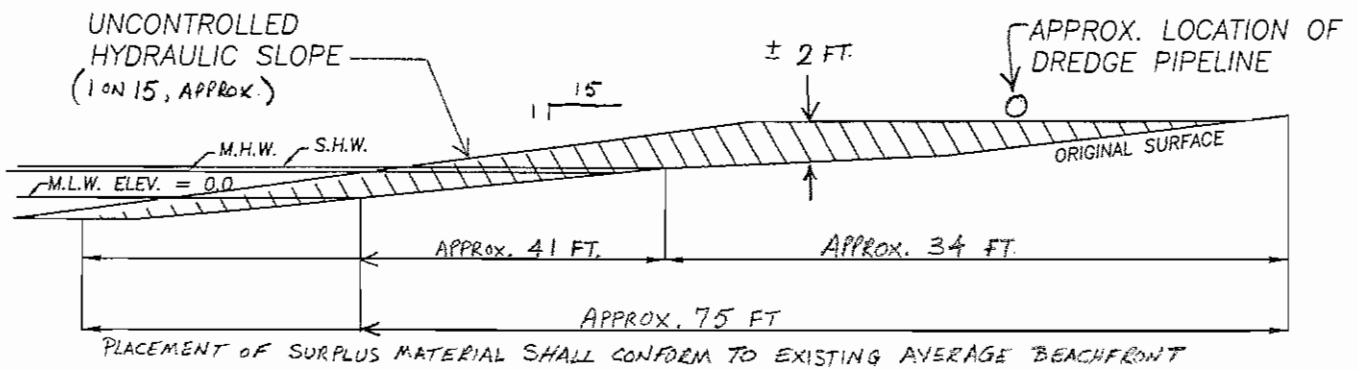
GILBERT ANDERSON, P.E.

CHIEF DEPUTY COMMISSIONER

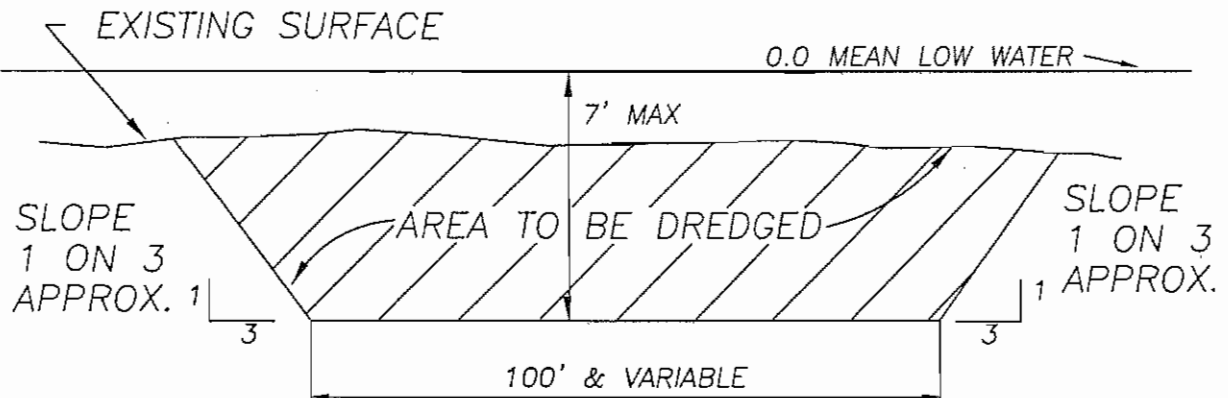
The datum used on this project is Mean Low
Water, elevation 0.00 ft.

MAINTENANCE DREDGING
AT

DEEP HOLE CREEK
TOWN OF SOUTHOLD
SUFFOLK COUNTY, NEW YORK
DATE: SEPT. 2006 SHEET 2 OF 4



SURPLUS MATERIAL AREA (WESTERN BEACH)
BEACH NOURISHMENT
TYPICAL SECTION
NOT TO SCALE



TYPICAL CHANNEL SECTION
NOT TO SCALE

NAN-2006-3356-EHA

APPLICATION BY COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.

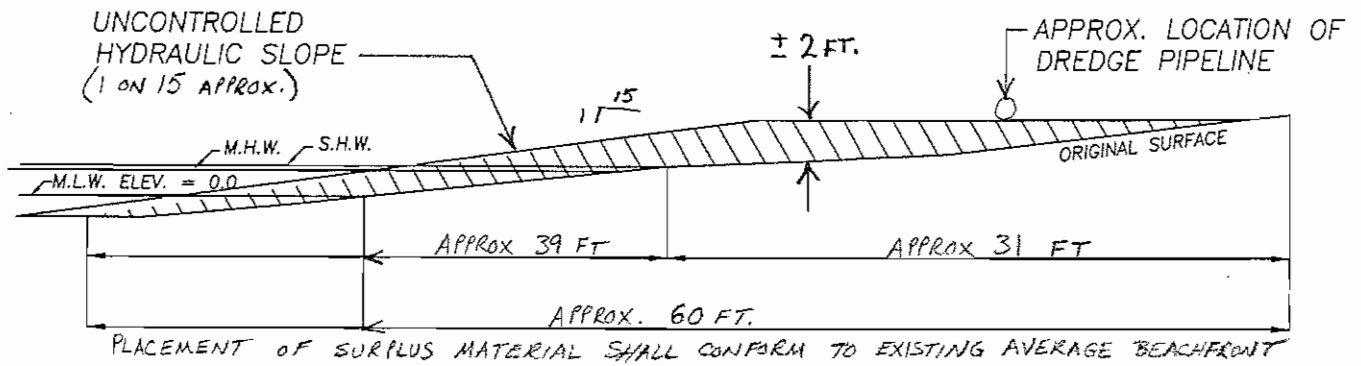
CHIEF DEPUTY COMMISSIONER

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MAINTENANCE DREDGING
AT

DEEP HOLE CREEK
TOWN OF SOUTHOLD
SUFFOLK COUNTY, NEW YORK

DATE: SEPT. 2006 SHEET 3 OF 4



SURPLUS MATERIAL AREA (EAST SIDE)
BEACH NOURISHMENT
TYPICAL SECTION
NOT TO SCALE

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APPLICATION BY COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS
GILBERT ANDERSON, P.E.
CHIEF DEPUTY COMMISSIONER

The datum used on this project is Mean Low
Water, elevation 0.00 ft.

MAINTENANCE DREDGING
AT
DEEP HOLE CREEK
TOWN OF SOUTHD
SUFFOLK COUNTY, NEW YORK
DATE: SEPT. 2006 SHEET 4 OF 4